

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2002-250-EG - ORDER NO. 2005-459 .  
AUGUST 25, 2005

IN RE: UtiliCheck, LLC,	) ORDER
	) DISMISSING
Complainant/Petitioner,	) COMPLAINT
	)
vs.	)
	)
South Carolina Electric & Gas Company,	)
	)
Defendant/Respondent.	)
_____	)

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the request of the Complainant/Petitioner, UtiliCheck, LLC (“UtiliCheck” or “Petitioner”) requesting withdrawal of the Complaint in this matter.

This case was initiated by Hollie C. Barbee, a principal of UtiliCheck by the filing of a Complaint with the Commission on July 22, 2002, against the Defendant/Respondent, South Carolina Electric & Gas Company (“SCE&G” or “Respondent”). The Complaint, in short, alleged that SCE&G had willfully and deliberately interfered with UtiliCheck’s business practices by SCE&G’s refusal to provide billing information to UtiliCheck for which UtiliCheck asserted it had written and express authority to attain. Additionally, by its Complaint, UtiliCheck sought the Commission’s position in terms of establishing standards for letters of agency.

SCE&G filed an Answer to the Petitioner's Complaint on August 22, 2002. No further pleading from the Petitioner or Respondent ensued nor was any further action taken by the Commission in regard to the Complaint in this matter until the Commission issued its Notice of Hearing on July 6, 2005, whereby the hearing on the Complaint was scheduled to be heard October 27, 2005.

By letter dated August 19, 2005, Hollie C. Davis (f/k/a Hollie C. Barbee) advised the Commission that UtiliCheck had informed SCE&G that the Petitioner had no further desire to pursue the Complaint in the instant docket. Ms. Davis asks the Commission to accept the letter as a formal refusal to pursue the matter further. Subsequently, by letter dated August 23, 2005, counsel for James Barbee, president of UtiliCheck, confirms that UtiliCheck has no further desire to pursue its 2002 Complaint.

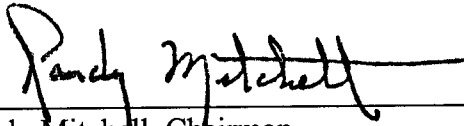
At its regularly scheduled meeting on August 23, 2005, the Commission reviewed the case before it and after due consideration, the Commission concludes that the request of UtiliCheck to withdraw its Complaint should be granted.

**IT IS THEREFORE ORDERED:**


1. That the Complaint filed by UtiliCheck, LLC against South Carolina Electric & Gas Company in the instant docket is hereby dismissed.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
\_\_\_\_\_  
Randy Mitchell, Chairman

ATTEST:

  
\_\_\_\_\_  
G. O'Neal Hamilton, Vice Chairman

(SEAL)